

REMARKS

Claims 1-54 and 56-79 are pending and stand rejected. All pending claims 1-54 and 56-79, as amended, are believed to be allowable over the references cited by the Examiner as discussed below. Accordingly, a Notice of Allowance for the present application is respectfully requested.

Claim Objections

The claims to which the Examiner objected are amended to clarify the subject matter of the invention.

Claims 45 and 46 were incorrectly listed and are corrected to read as the claims were originally filed.

Rejection Under 35 U.S.C. §112, second paragraph

Claims 51-54 and 56-62 stand rejected under 35 U.S.C. §112, second paragraph.

With respect to claim 51, the claim is amended to recite that “the accessory interface bus being configured to transmit a data packet for controlling, monitoring, or testing the operations of the headset accessory.” It is believed that claim 51 is no longer indefinite.

With respect to claim 56, the claim is amended to recite that the communications protocol includes commands to independently and directly perform control, monitoring or identification of any one of the headset accessories. It is believed that claim 56 is no longer indefinite.

The Examiner notes that claim 60 recites “a command for turning the specific accessory on or off” and that such a command is presumably sent in response to a user requiring the use of or terminating the use of an accessory. While that may be the case, the command may also be sent to turn on the accessory so as to perform identification and/or testing of the accessory, for example. Similarly, the command may also be sent to turn off the accessory when identification and/or testing of the accessory is complete, for example.

Withdrawal of the rejection of claims 51-54 and 56-62 under 35 U.S.C. §112, second paragraph is respectfully requested.

Rejection Under 35 U.S.C. §101

Claims 40-50 stand rejected under 35 U.S.C. §101. Claims 40-50 have been amended to positively recite a computer readable medium. The claims are believed to be statutory subject matter.

Claims 51-54 stand rejected under 35 U.S.C. §101. However, claim 51 is amended to relate the data packet and the headset adapter. The amendment clarifies that the claims are directed to a headset adapter that implements the specified communications protocol.

Withdrawal of the rejection of claims 40-50 and 51-54 under 35 U.S.C. §101 is respectfully requested.

Rejections Under 35 U.S.C. §103

Claims 1-32 and 56-69 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Applicant's admitted prior art in view of Kowalski.

The Examiner contends that Kowalski's bus controller provides independent and direct control of the peripheral devices. However, there is no support for independent and direct control of the peripheral devices. Instead, Kowalski explicitly states that "The present invention provides for communication from a handset or peripheral to the bus control unit as well as from a handset or peripheral to another handset or peripheral."

In other words, Kowalski enables *communication* (1) between handset or peripheral and the bus control unit and (2) between handset or peripheral to another handset or peripheral. Kowalski is not only silent on independent and direct communication *from the bus control unit* to a handset or peripheral but also silent on any direct and independent control or monitoring of the handset of or peripheral.

Furthermore, the Examiner states that "the bus controller independently and directly monitors and peripheral devices when it monitors the bus for requests for transmission." Such passive "monitoring" is not direct nor independent. If the awaiting of a packet is to be construed as "monitoring," then Kowalski's passive "monitoring" is neither independent nor direct as it relies upon the transmission of a packet from a handset of or peripheral.

Withdrawal of the rejection of claims 1-32 and 56-69 under 35 U.S.C. §103(a) is respectfully requested.

Claims 33-39 and 70-79 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Applicant's admitted prior art in view of Kowalski and further in view of Endick.

However, Endick fails to make up for the deficiencies of Kowalski and, as such, the same or similar arguments presented above apply to the rejection of claims 33-39 and 70-79.

Withdrawal of the rejection of claims 33-39 and 70-79 under 35 U.S.C. §103(a) is respectfully requested.

CONCLUSION

Applicants believe that all pending claims are allowable and respectfully request a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

In the unlikely event that the transmittal letter accompanying this document is separated from this document and the Patent Office determines that an Extension of Time under 37 CFR 1.136 and/or any other relief is required, Applicant hereby petitions for any required relief including Extensions of Time and/or any other relief and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 50-2315 (Order No. 01-3876).

Respectfully submitted,



Jung-hua Kuo, Reg. No. 41,918 for
Peter Hsieh, Reg. No. 44,780
Plantronics, Inc.
345 Encinal Street
P.O. Box 635
Santa Cruz, CA 95060-0635
Telephone: (831) 458-7758
Facsimile: (831) 426-2965